REMARKS

The Examiner is thanked for the careful examination of the application.

However, in view of the following remarks, the Examiner is respectfully requested to reconsider and withdraw the rejections.

Claims 1-26 are pending, with Claims 1, 9 and 17-20 being independent.

New claims 21 – 26 have been added. The new claims are dependent claims and are patentable at least for the reasons set forth below with respect to the independent claims from which they depend.

Claims 1-20 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ainai* (U.S. patent no. 5,663,800 to Ainai), in view of *Nishiyama* (U.S. patent no. 6,067,168 to Nishiyama et al.).

Claim 1 recites an imaging forming apparatus. The apparatus includes a key that generates a memory recall signal in **direct** response to operation of the key by a user after a transfer of the image data received by the input device to the image memory of the memory-incorporating apparatus connected to the input device via the network. A reception portion receives the image data stored in the image memory in accordance with the signal generated by the key.

Ainai is relied upon to disclose all of Claim 1, except a key for the "generating a signal and a reception means for receiving the image data stored it the image memory in accordance with the signal." For a disclosure of that, *Nishiyama* is relied upon.

However, *Nishiyama* does not disclose the claimed key, especially as now defined. *Nishiyama* discloses a series of printers, including copy machine 91. Image data is input into the memory of the copy machine 91. If the selected image

processing command, *e.g.*, a sharpness function (column 15, line 48), is not available, then the image data is sent to another copy machine, *e.g.*, copy machine 92 or 93, which is capable of the sharpness function (column 16, lines 4-7). Thus, if the user selects the sharpness function with the setting keys on the copy machine 91, the image data is transmitted to one of the copy machines 92 or 93 from the copy machine 91. Once the image data is in the copy machine 92 or 93, it is processed using the sharpness function. Upon completion of the processing, and when the copy machine 91 is empty, *the copy machine 91 automatically issues a return request and the copy machine 92 or 93 returns the processed image data to the copy machine 91 for printing*.

There is no disclosure in *Nishiyama* that the above-described return request signal is generated in <u>direct</u> response to operation of the key by a user after a transfer of the image data received by the input device to the image memory of the memory-incorporating apparatus connected to the input device via the network, as now recited in Claim 1. The *Nishiyama* return request signal is generated automatically in response to the copying machine 91 emptying its own memory, and not in direct response to operation of a key by a user at the copier 91.

The Examiner alleges that the *Nishiyama* system generates a "return request" signal. The Examiner further alleges that a user can input control data through a user interface, and then concludes that the input keys could generate the return request signal.

However, claim 1 requires that the key generates the memory recall signal *in direct response to operation of the key by a user*. The mere fact that the user inputs control signals, and later the system generates a return request signal in

response to some other action (i.e., emptying of the memory) does not mean that the return request signal is generated *in direct response to the operation of the key by the user*. In the *Nishiyama* device, the return request signal is generated in response to the copying machine 91 emptying its own memory. See column 16, lines 48 – 52.

Therefore, it cannot be said that *Nishiyama* discloses or suggests a key that generates a signal in *direct* response to operation by a user after a transfer of the image data received by the input device to the image memory of the memory-incorporating apparatus connected to the input device via the network, and that the image data is transferred from the image memory in the memory-incorporating apparatus to a reception portion for receiving image data via the network in accordance with the signal that was generated in response to an operation by the user.

Also, *Ainai* does not disclose a key as recited in the claims, and is not relied on for a disclosure of such in the Office action.

For at least those reasons, the Examiner is respectfully requested to reconsider and withdraw the rejection of Claim 1 based on *Ainai* in view of *Nishiyama*.

Claims 9 and 17-20 are allowable for similar reasons as Claim 1.

The rejections of the dependent claims should be withdrawn at least by virtue of their dependence from allowable independent claims.

For the reasons stated above, it is believed that this application is in condition for allowance and such is requested.

In the event that there are any questions concerning this response, or the application in general, the Examiner is respectfully requested to contact the undersigned attorney so that prosecution of the application may be expedited.

Respectfully submitted,

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